

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KLAUSNER TECHNOLOGIES, INC.

vs.

AASTRA TECHNOLOGIES LTD., *et al.*

IPVX PATENT HOLDINGS, INC.,
a Delaware corporation,

vs.

NTCH-COLORADO, LLC, a Colorado
limited liability company; NTCH, INC., a
Delaware Corporation; and PTA-FLA, INC.,
a Florida Corporation

CASE NO. 6:11-cv-00480-LED
(Lead Case for Consolidation)
JURY TRIAL DEMANDED

CASE NO. 6:12-cv-00170-LED
(Consolidated with Above)
JURY TRIAL DEMANDED

AGREED MOTION TO DISMISS WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff IPVX Patent Holdings, Inc. (“IPVX”) and Defendant PTA-FLA, Inc. (“PTA-FLA”) respectfully move the Court to enter the attached Agreed Order of Dismissal with Prejudice.

Accordingly, the parties respectfully move the Court to order that the parties hereby agree and stipulate on the terms and conditions of the Settlement Agreement as follows:

1. This Court has personal jurisdiction over the parties and retains jurisdiction to enforce this Agreed Order of Dismissal with Prejudice and to enforce the terms of the Settlement Agreement.
2. Venue is proper in this District.

3. All claims in this action as between IPVX and PTA-FLA are dismissed with prejudice.
4. Each party shall bear its own respective costs and attorney's fees in connection with this case.

Approved as to form and substance on November 12, 2012.

<p>IPVX PATENT HOLDINGS, INC.</p> <p>By its attorneys,</p> <p><u>/s/ Pierre R. Yanney</u></p> <p>Sidney Calvin Capshaw, III State Bar No. 03783900 Capshaw DeRieux, LLP 114 E. Commerce Ave. Gladewater, Texas 75647 Telephone: (903)-233-4826 Facsimile: (903)-236-8787 Email: ccapshaw@capshawlaw.com</p> <p><i>Of Counsel:</i></p> <p>Pierre R. Yanney State Bar No. 033391993 Email: pyanney@stroock.com STROOCK & STROOCK & LAVAN LLP 180 Maiden Lane New York, N.Y. 10038 Tel: (212) 806-5400 Fax: (212) 806-6006</p>	<p>PTA-FLA, INC.</p> <p>By its attorneys,</p> <p><u>/s/ Ronald L. Marlowe (with permission)</u></p> <p>Ronald J. Marlowe (Lead Attorney) Florida Bar No. 435971 ARNSTEIN & LEHR LLP 302 Knights Run Ave., Suite 1100 Tampa, FL 33602 (813) 254-1400 (813) 574-5114 (facsimile) rjmarlowe@arnstein.com</p>
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document this 13th day of November, 2012, via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Pierre R. Yanney

CERTIFICATE OF CONFERENCE

In compliance with Local Rule CV-7(h), I hereby certify that counsel for IPVX conferred with counsel for PTA-FLA, Inc. and this motion is agreed.

/s/ Pierre R. Yanney